

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/692,468	)	Confirmation No. 7253
	)	
Applicants:     BAO et al.	)	
	)	
Filing Date:     October 22, 2003	)	This document is being electronically filed
	)	on November 13, 2009 using the USPTO's
Title:            ARTIFICIAL DISC DEVICE	)	EFS-Web.
	)	
Art Unit:         3774	)	
	)	
Examiner:        Joshua H. LEVINE	)	
	)	
	)	
Docket No.:      7115/79587	)	
	)	
Customer No.:    22242	)	
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**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

On September 4, 2009, a three-month extension of time for the above-referenced application was electronically filed using the USPTO's EFS-Web filing system. The large entity Surcharge fee of \$1,110.00 was mistakenly charged to Deposit Account No. 06-1135 when the extension was filed. Applicants are in fact a small entity and have previously asserted small entity status in this application. Therefore, pursuant to 37 CFR 1.26(a), Applicants request the Director to refund one half of the filing fee paid, and credit Deposit Account No. 06-1135 in the amount of \$555.00.

Application No. 10/692,468  
Request for Refund filed November 13, 2009

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Dated: November 13, 2009

/Stephen S. Favakeh/

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